



07 JAN 2009

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In re Application of:
BADGER, David, et al. : DECISION ON RENEWED
U.S. Application No.: 10/537,474 : PETITION TO WITHDRAW
PCT No.: PCT/US2002/039248 : HOLDING OF ABANDONMENT
International Filing Date: 06 December 2002 : (37 CFR 1.181)
Priority Date: None claimed :
Atty Docket No.: A35477 PCT (065855) :
For: A SYSTEM AND METHOD FOR :
INTER-RELATING MULTIPLE :
DATA TYPES :
:

This decision is issued in response to the "Reconsideration Of Denial Of Petition To Withdraw Holding Of Abandonment" filed 26 November 2008. A petition fee is not required.

BACKGROUND

The procedural background for the present application was set forth in the decision mailed on 30 October 2008. The decision dismissed without prejudice applicants' petition to withdraw the holding of abandonment based on applicants' failure to satisfy all the requirements of a grantable petition. Specifically, applicants had failed to provide all the statements and docket records required to confirm that applicants had not received the "Notification Of Missing Requirements" (Form PCT/DO/EO/905) mailed 22 January 2008.

On 26 November 2008, applicants filed the renewed petition considered herein, with accompanying materials.

DISCUSSION

The renewed petition includes the required statements from the practitioner regarding the docketing system employed and confirming that a search of the practitioner's record(s), including any file jacket or the equivalent, and the application contents, indicates that the Notification Of Missing Requirements was not received.

In addition, the renewed petition also includes the supplemental docket records required to satisfy the final requirement for a grantable petition to withdraw the holding of abandonment based on applicants' failure to receive the Notification Of Missing Requirements (Form PCT/DO/EO/905) mailed 22 January 2008 (i.e., a copy of the office docket showing all

responses due in the USPTO on 22 March 2008, the date on which a response to the Notification Of Missing Requirements was due).

CONCLUSION

The renewed petition for withdrawal of the holding of abandonment under 37 CFR 1.181 is **GRANTED**.

The Notification Of Abandonment (Form PCT/DO/909) mailed 26 September 2008, based as it was on applicants' failure to respond to the Notification Of Missing Requirements that applicants did not receive, is appropriately **VACATED**.

The application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision, including the mailing of mailing of a new Notification Of Missing Requirements (Form PCT/DO/EO/905).



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